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10/646,133	08/22/2003	Robert Keane	03-011	8889

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VISTA PRINT USA, INC.
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LEXINGTON, MA 02421

EXAMINER

THERIAULT, STEVEN B

ART UNIT	PAPER NUMBER
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2179

MAIL DATE	DELIVERY MODE
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12/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/646,133

Applicant(s)

KEANE, ROBERT

Examiner

Steven B. Theriault

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the following communications: Amendment filed 09/24/2007

This action is made FINAL.

2. Claims 1 -27 are pending in the case. Claims 1, 10, 19, 20, and 21 are the independent claims.

Claim Rejections - 35 USC § 103

3. **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
4. **Claims 1-27 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Roztocil et al. (hereinafter Roztocil) U.S. Patent No. 6,995,860 published Feb. 07, 2006 and filed March 9, 2001 in view of Mathews et al. (hereinafter Mathews) U.S. Publication No. 20040049547 published March 11, 2004 and filed June 16, 2003.**

In regard to **Independent claim 1**, Roztocil teaches a system comprising

- One or more user systems for designing a product to be printed, each user system being operatively connected to a network and having a user processor running a browser program, one or more user tools executing in the browser program on the user processor

and adapted to allow a user of the user system to customize the design of a product at the user system and to communicate over the network with a remote printing services site, and a user display displaying the product design to the user of the user system (Roztocil column 2, lines 37-56 column 9, lines 33-50 , column 10, lines 45-67 and column 14, lines 25-57). Roztocil teaches a production workflow system that allows a user to submit document designs to a production printing service outlet (See figure 1). The user desktop (See figure 5) is separate from the operators desktop and are connected remotely over a network. The user on their desktop can access the workflow system and make changes to the document. The operator, through the viewer, can see the document changes applied and then perform operations on the document to send the document to the appropriate print machine. Roztocil teaches the system allows the user to see the visual changes to the document and view how the changes will look in the printed form.

- One or more remote support systems, each remote support system being operatively connected to the network and having a support processor, a support display, and one or more programs running on the support processor adapted to allow an operator of the support system to view a user's product design substantially as the product design is being displayed to the user on the user display (See column 14, lines 26-57). Roztocil teaches that the system client PC is separate from the operator PC. The user can be located in the print media retail outlet but remotely connected over the LAN and can edit a document. The operator can view the changes at substantially the same time as the user enters them (See figure 1). Roztocil also teaches that an operator can open the viewer while the document is edited. The changes posted the document can be posted to the viewer, which creates the scenario that the operator can view a document at the same time as the user is editing it.

Roztocil does not expressly teach:

- Means for establishing a communication connection between a user of a user system and an operator of a remote support system such that the user of the user system can submit product design inquiries to and receive responses from the operator of the remote support system while the product design is displayed to the user.
- means for establishing a communication connection between the user system and the remote support system such that the support system can obtain the user's product design information from the user system over the network and display the product design to the operator while the operator is communicating with the user over the first communication connection

However, Mathews expressly teaches a help facility that allows for real-time communications between the helper and the user. Mathews teaches the user can initiate a request for help from the product that establishes connection over a communications link (See Para 0019). Mathews teaches a mechanism for supporting products (See Para 0058), such as Microsoft Word and power point, which in the Examiners opinion provides the structure for supporting product design. Further, Mathews allows for the helper to share the users screen, in real-time, so that the users movements are observed by the operator and visa versa (See Para 0051). Mathews and Roztocil are analogous art in that they provide a mechanism to help a user complete a task and to support a product. For Example, Roztocil provides an interface to help a user configure a document and Mathews provides a remote support product that allows a helper to instruct to a user in configuring a document.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention, having the teaching of Mathews and Roztocil in front of them, to modify the system of Roztocil to incorporate the remote support system that allows the user and operator to communicate over the network while the document is simultaneously displayed. The motivation to combine Mathews with Roztocil comes from the suggestion in Mathews to provide services for any subject matter via the internet and that have a problem requiring a solution provided over a communications link (See Para 0023-0024). Moreover, Mathews teaches a process to allow an

electronic retailer to provide value added services to end users (See Para 0023). Further, Mathews teaches the help facilitator is provided to users that may be requesting help with software products in an organization such as an electronic retailer or online catalog that may need the services of a document editor (See Para 0042 and 0044).

With respect to **dependent claim 2**, as indicated in the above discussion Roztocil in view of Mathews teach every limitation of claim 1.

Roztocil teaches a mechanism where a document workflow system can allow the user to edit a document and an operator to view a document on the same network, which allows simultaneous users to view a document. The operator in Roztocil cannot control the users system, wherein the one or more programs running on the support processor allow the operator of the support system to control the user system such that the operator can ~~cause the results displayed on the user display to be modified~~ edit the product design at the user system while the product design is being displayed to the user. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Mathews, because Mathews teaches a "share my screen " feature that allows an operator to control and see the user screen (See Para 0051).

With respect to **dependent claim 3**, as indicated in the above discussion Roztocil in view of Mathews teach every limitation of claim 1.

Roztocil does not expressly disclose a system comprising means for requesting remote support for a user of a user system, and a server system operatively connected to the network, the server system having means, responsive to the request for remote support, for selecting an available one of the one or more remote support systems to provide remote support to the user and for supplying the request for support to the selected one of the one or more remote support systems. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Mathews, because Mathews teaches a means where the user request

supports (Figure 3, 104). Mathews also teaches responsive to the request, selects the available remote system to provide support to the user (See Para 0051 and 0078, 0089) by routing the IP address of the requestor to the helper that allows a communications link to be executed between the requestor and helper workstations.

With respect to **dependent claim 4**, as indicated in the above discussion Roztocil in view of Mathews teach every limitation of claim 3.

Roztocil does not expressly teach the system wherein the server system further comprises a queue for holding requests for remote support if a support system is not available. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Mathews, because Mathews teaches a queue for managing help requests to help facilitators that do provide remote support (See Para 0046 and 0049). The system would have to maintain a queue for two reasons: 1) for the routing of requests to the appropriate help representative for the product chosen (See Para 0058 and 0048). 2) Mathews discloses that the helper may receive notification that no user was available to help a requestor at the time. The helper, at a later time, calls the requestor back, which indicates a queue for requests is kept in order to know which requestor contacted a given helper (See also Para 0089).

With respect to **dependent claims 5-9**, as indicated in the above discussion Roztocil in view of Mathews teach every limitation of claim 1.

Roztocil teaches a network connection between the desktop client location (116) and the client PC (See figure 5). Roztocil teaches the network may be a LAN, wired, wireless and an Internet connection. Roztocil does not expressly teach that the system connections between the user and the operator form an audio, telephone, VOIP, video and text messaging connection. However, these limitations would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Mathews, because Mathews teaches the use of the Net Meeting application

to connect the user and the operator, which teaches audio, video, text and any combination of the aforementioned (See Para 0013, 0029, 0037 and 0093).

In regard to claims 10-19, claims 10-19 incorporate substantially similar subject matter as claims 1-9, and in view of the rejection presented above, are rejected along the same rationale.

In regard to **Independent claim 20**, A method of providing assistance from an operator of a support system having a support display to a user on a remote user system designing a customized product to be printed, the user system having a processor running a browser program, one or more tools executing in the browser program and adapted to allow a user of the user system to customize the design of the product at the user system and to communicate with a remote printing services site, and a user display (See figure 3 and 4), the method comprising:

- Establishing one or more alert conditions corresponding to one or more predetermined product design actions by the user at the user system (See Roztocil column 7, lines 20-27, column 8, lines 40-51, column 12, lines 30-40, column 22, lines 35-40, column 24, lines 55-61). Roztocil teaches several situations where exceptions are generated that cause for manual intervention on behalf of the user. In each case, the user is presented with a drop down or menu to select from a palette of options to address the issue.
- Monitoring using one or more of the tools executing in the browser program to monitor the remote user system for the occurrence of one or more of the alert conditions, in response to detection of one or more of the alert conditions (Roztocil column 8, lines 45-55). Roztocil teaches an automatic process of checking a file to see if it is in the correct file printing format, which can be an alert generated to the user.

Roztocil does not expressly teach:

- Establishing a communication connection between the user of the user system and the operator of the support system such that the operator can communicate with the user to offer assistance.
- Establishing a communication connection between the user system and the support system such that the support system can obtain the user's product design information from the user system.
- Displaying substantially the same ~~the information~~ product design on the support display as is being displayed on the user display while the user and the operator communicate over the communication connection between the user and the operator.

However, Mathews expressly teaches a help facility that allows for real-time communications between the helper and the user. Mathews teaches the user can initiate a request for help from the product that establishes connection over a communications link (See Para 0019). Mathews teaches a mechanism for supporting products (See Para 0058), such as Microsoft Word and power point, which in the Examiners opinion provides the structure for supporting product design. Additionally, Mathews teaches transferring information from the user's computer such that attributes of the problem or contextual nature are extracted from the machine (See Para 0044 and 0047). Further, Mathews allows for the helper to share the users screen, in real-time, so that the users movements are observed by the operator and visa versa (See Para 0051). Mathews and Roztocil are analogous art in that they provide a mechanism to help a user complete a task and to support a product. For Example, Roztocil provides an interface to help a user configure a document and Mathews provides a remote support product that allows a helper to instruct to a user in configuring a document.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention, having the teaching of Mathews and Roztocil in front of them, to modify the system of Roztocil to incorporate the remote support system that allows the user and operator to communicate over the network while the document is simultaneously displayed. The motivation to

combine Mathews with Roztocil comes from the suggestion in Mathews to provide services for any subject matter via the internet and that have a problem requiring a solution provided over a communications link (See Para 0023-0024). Moreover, Mathews teaches a process to allow an electronic retailer to provide value added services to end users (See Para 0023). Further, Mathews teaches the help facilitator is provided to users that may be requesting help with software products in an organization such as an electronic retailer or online catalog that may need the services of a document editor (See Para 0042 and 0044).

In regard to **Independent claim 21**, A method of providing assistance from an operator of a support system having a support display to a user on a remote user system designing a customized product to be printed, the user system having a processor running a browser program, one or more tools executing in the browser program and adapted to allow a user of the user system to customize the design of the product at the user system and to communicate with a remote printing services site, and a user display (See figure 3 and 4), the method comprising:

- Establishing one or more alert conditions corresponding to one or more predetermined product design actions by the user at the user system, (See Roztocil column 7, lines 20-27, column 8, lines 40-51, column 12, lines 30-40, column 22, lines 35-40, column 24, lines 55-61). Roztocil teaches several situations where exceptions are generated that cause for manual intervention on behalf of the user. In each case, the user is presented with a drop down or menu to select from a palette of options to address the issue.
- Using one or more of the tools executing in the browser program to monitor the remote user system for the occurrence of one or more of the alert conditions (Roztocil column 7, lines 20-27, column 8, lines 40-51, column 12, lines 30-40, column 22, lines 35-40, column 24, lines 55-61). Roztocil teaches several situations where exceptions are generated that cause for manual intervention on behalf of the user. Roztocil provides that the workflow system can reflect to a user when an exception to the document process has occurred. For example, when binder holes are too close to the text or when a black

and white print process is combined with a color process or where tab stock needs to be inserted. These processes require user intervention and can be activated once the operator adds the step of updating the document to reflect the changes to a document, which would update the file in the stored directory location and reflect a corresponding update to the user.

Roztocil does not expressly teach:

- In response to detection of one or more of the alert conditions, generating one or more tools executing in the browser program to generate a message at the user system to the user of the user system inquiring if the user would like assistance from the support system,
- If the user indicates that the user would like assistance, establishing a communication connection between the user of the user system and the operator of the support system such that the operator call communicate with the user to offer assistance.
- Establishing a communication connection between the user system and the support system such that the support system Call obtain the user's product design information from the user system. and
- Displaying substantially the same the information product design on the support display as is being displayed on the user display while the user and the operator communicate over the communication connection between the user and the operator.

However, Mathews expressly teaches a help facility that allows for real-time communications between the helper and the user. Mathews teaches the user can initiate a request for help from the product that establishes connection over a communications link (See Para 0019). Mathews teaches a mechanism for supporting products (See Para 0058), such as Microsoft Word and power point, which in the Examiners opinion provides the structure for supporting product design. Further, Mathews teaches a "share my screen" option that presents a structure that would allow

the operator and user to see the changes to a document simultaneously. Additionally, Mathews teaches transferring information from the user's computer such that attributes of the problem or contextual nature are extracted from the machine (See Para 0044 and 0047). Further, Mathews allows for the helper to share the users screen, in real-time, so that the users movements are observed by the operator and visa versa (See Para 0051). Mathews teaches that the operator system has indicated and offered to help the user with the problem at hand and the user has provided responses to request help. Once the user places a request to live help then video window floats to the top to resolve the situation, which in the Examiners opinion is a scenario where the user has tried to solve the problem but cannot through system knowledge bases and the system provides lower level prompts. Then the situation is escalated to a live helper which indicates that the system can determine that the user is having a problem with the product and initiates a help request. Mathews and Roztocil are analogous art in that they provide a mechanism to help a user complete a task and to support a product. For Example, Roztocil provides an interface to help a user configure a document and Mathews provides a remote support product that allows a helper to instruct to a user in configuring a document.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention, having the teaching of Mathews and Roztocil in front of them, to modify the system of Roztocil to incorporate the remote support system that allows the user and operator to communicate over the network while the document is simultaneously displayed. The motivation to combine Mathews with Roztocil comes from the suggestion in Mathews to provide services for any subject matter via the internet and that have a problem requiring a solution provided over a communications link (See Para 0023-0024). Moreover, Mathews teaches a process to allow an electronic retailer to provide value added services to end users (See Para 0023). Further, Mathews teaches the help facilitator is provided to users that may be requesting help with software products in an organization such as an electronic retailer or online catalog that may need the services of a document editor (See Para 0042 and 0044).

With respect to **dependent claim 22**, as indicated in the above discussion Roztocil in view of Mathews teach every limitation of claim 19, 20 or 21.

Roztocil teaches a mechanism where a document workflow system can allow the user to edit a document and an operator to view a document on the same network, which allows simultaneous users to view a document. The operator in Roztocil cannot control the users system, wherein the operator editing the product designs at the user system while the product design is being displayed to the user. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Mathews, because Mathews teaches a "share my screen " feature that allows an operator to control and see the user screen (See Para 0051).

With respect to **dependent claims 23-27**, as indicated in the above discussion Roztocil in view of Mathews teach every limitation of claim 19, 20 or 21.

Roztocil teaches a network connection between the desktop client location (116) and the client PC (See figure 5). Roztocil teaches the network may be a LAN, wired, wireless and an Internet connection. Roztocil does not expressly teach that the system connections between the user and the operator form an audio, telephone, VOIP, video and text messaging connection. However, these limitations would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Mathews, because Mathews teaches the use of the Net Meeting application to connect the user and the operator, which teaches audio, video, text and any combination of the aforementioned (See Para 0013, 0029, 0037 and 0093).

It is noted that any citation to specific pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

Response to Arguments

Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven B. Theriault whose telephone number is (571) 272-5867. The examiner can normally be reached on M, W, F 10:00AM - 8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Steven B Theriault/
Patent Examiner
Art Unit 2179



WEILUN LO
SUPERVISORY PATENT EXAMINER